

Atty's Dkt: WALLACH33

In re Application of:  
 David WALLACH  
 Serial No. 10/511,314  
 IA Filing Date: April 15, 2003  
 For: DERIVATIVES OF THE NF-KAPPAB INDUCING...

) Application Division  
 ) **ATTN: PCT**  
 ) Washington, D.C.  
 ) Confirmation No. 6672  
 ) Date: May 17, 2005

**LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371**

U.S. Patent and Trademark Office  
 Customer Service Window  
 Randolph Building, Mail Stop Missing Parts  
 401 Dulany Street  
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated March 21, 2005. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and priority information.  
 [ ] An exact English language translation of the PCT application as originally filed.  
 [ ] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages \_\_\_\_ of the specification and new claims \_\_\_\_ to be used for examination.  
 [XX] A Preliminary Amendment [XX] Fees are reduced due to elimination of claim multiple dependencies.  
 [XX] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.  
 [XX] Additional fees as calculated below:

[ ] Basic fee		
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than [ ] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
41 - 20 = 21		X \$ 50.00
16 - 3 = 13		X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS</b>		\$3,780.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$ >
<b>SUBTOTAL</b>		\$3,780.00
Processing fee of <b>\$130.00</b> for late furnishing of the English translation.		\$
<b>TOTAL NATIONAL FEE</b>		\$3,780.00

[XX] Total fees enclosed: \$ 3,780.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$ 3,780.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

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01 FC:1615  
 02 FC:1614  
 03 FC:1617  
 04 FC:1616

360.00 DA

1050.00 OP  
 2600.00 OP  
 130.00 OP

BROWDY AND NEIMARK, P.L.L.C.  
 Attorneys for Applicant(s)

By:

Roger L. Browdy  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

YEDA

U.S. APPLICATION NUMBER NO. 10/511,314	FIRST NAMED APPLICANT David Wallach	ATTY. DOCKET NO. WALLACH33
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INTERNATIONAL APPLICATION NO.
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PCT/IL03/00317

001444  
BROWDY AND NEIMARK, P.L.L.C.  
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SUITE 300  
WASHINGTON, DC 20001-5303

LA. FILING DATE	PRIORITY DATE
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04/15/2003

04/18/2002

CONFIRMATION NO. 6672

371 FORMALITIES LETTER



\*OC000000015358903\*

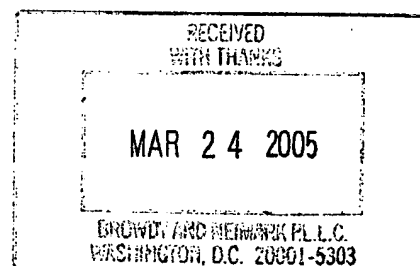
Date Mailed: 03/21/2005

NISP/PRE. A.M.D. - 21MY 2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/15/2004
- Copy of the International Search Report filed on 10/15/2004
- Copy of IPE Report filed on 10/15/2004
- Biochemical Sequence Listing filed on 10/15/2004
- Request for Immediate Examination filed on 10/15/2004
- U.S. Basic National Fees filed on 10/15/2004
- Priority Documents filed on 10/15/2004



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$10460** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$10590** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- Total additional claim fee(s) for this application is **\$ 10460**
  - **\$6600** for **33** independent claims over 3.
  - **\$3500** for **70** total claims over 20.
  - **\$360** for multiple dependent claim surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,314	PCT/IL03/00317	WALLACH33